

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 17 2015 ★

BROOKLYN OFFICE

-----X
BETH SHVARTS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

IHEARTMEDIA, INC., a Delaware
corporation,

Defendant.
-----X

NOTICE OF VOLUNTARY
DISMISSAL PURSUANT TO
FED. R. CIV. P. 41

1:15-cv-03231-CBA-SMG

NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO FED. R. CIV. P. 41

PLEASE TAKE NOTICE that Plaintiff Beth Shvarts ("Plaintiff"), by and through her undersigned counsel and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby voluntarily dismisses all claims in this action *without prejudice* as to Defendant iHeartMedia, Inc. ("Defendant"). While the Parties have reached a class-wide settlement, Defendant is concerned that the outcome of the United States Supreme Court's recent grant of certiorari in *Spokeo, Inc. v. Thomas Robins*, No. 13-1339, might divest this Court of subject matter jurisdiction over the instant action before the proposed settlement is fully effectuated, in which case, to effectuate the agreed-upon settlement, the Parties would be required to start the approval process again in state court after significant notice costs and expenses have already been incurred. Accordingly, by the terms agreed upon by the Parties, the proposed settlement will be effectuated through the Circuit Court of Cook County, Illinois.

Respectfully submitted,

Date: December 14, 2015

By: s/ Jeremy M. Glapion

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s/Carol Bagley Amon

12/17/15